

NAME OF COURT AND DISTRICT, BRANCH, OR DIVISION, IF ANY:  	<i>FOR COURT USE ONLY</i>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs. DEFENDANT:	
<b>PROTECTIVE ORDER IN CRIMINAL PROCEEDING (CLETS)</b> <b>(Penal Code, § 136.2)</b> <input type="checkbox"/> <b>MODIFICATION</b>	CASE NUMBER:

**THIS ORDER TAKES PRECEDENCE OVER ANY PRIOR COURT ORDER**

PERSON TO BE RESTRAINED ( <i>Name</i> ): _____	
Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Ht.: _____ Wt.: _____ Hair Color: _____ Eye Color: _____ Race: _____ Age: _____ Date of Birth: _____
<input type="checkbox"/> The defendant is a peace officer with _____ Department.	

1. This proceeding was heard  
on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
by judicial officer (*name*): \_\_\_\_\_
2. ☐ Defendant was personally present at the court hearing, and no additional proof of service of the restraining order is required.
3. **GOOD CAUSE APPEARING, THE COURT ORDERS** that the above-named defendant
  - a. ☐ shall not annoy, harass, strike, threaten, sexually assault, batter, stalk, destroy personal property of, or otherwise disturb the peace of the protected persons named below.
  - b. ☐ shall have no personal, telephonic, or written contact with the protected persons named below.
  - c. ☐ shall have no contact with the protected persons named below through a third party, except an attorney of record.
  - d. ☐ shall not come within \_\_\_\_\_ yards of the protected persons named below.
  - e. ☐ shall not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.
  - f. ☐ shall give up any firearm in or subject to his or her immediate possession or control within
    - (1) ☐ 24 hours after issuance of this order
    - (2) ☐ 48 hours after service of this order
    - (3) ☐ other (*specify*): \_\_\_\_\_

Any firearms should be surrendered to the control of local law enforcement. **The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.**

4. NAMES OF PROTECTED PERSONS:

5. Other orders (*specify*):

6. This order expires on (*specify date*):  
If no date is listed, this order expires three years from the date of issuance.

Date:

JUDICIAL OFFICER    Department/Division: \_\_\_\_\_

(See warnings on reverse)

**CERTIFICATE OF COMPLIANCE WITH VAWA** This ex parte/temporary protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. 2265 (1994) (VAWA). This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in this and all other jurisdictions.

**NOTICE REGARDING NON-APPEARANCE AT HEARING**

**IF YOU HAVE BEEN PERSONALLY SERVED WITH A TEMPORARY RESTRAINING ORDER AND NOTICE OF HEARING, BUT YOU DO NOT APPEAR AT THE HEARING EITHER IN PERSON OR BY COUNSEL, AND A RESTRAINING ORDER IS ISSUED AT THE HEARING WHICH DOES NOT DIFFER FROM THE PRIOR TEMPORARY RESTRAINING ORDER, A COPY OF THE ORDER WILL BE SERVED UPON YOU BY MAIL AT THE FOLLOWING ADDRESS:**

**IF THAT ADDRESS IS NOT CORRECT OR YOU WISH TO VERIFY THAT THE TEMPORARY ORDER WAS MADE PERMANENT WITHOUT SUBSTANTIVE CHANGE, CONTACT THE CLERK OF THE COURT.**

**NOTICE REGARDING ENFORCEMENT OF THIS ORDER**

This order is effective when made. It is enforceable anywhere in California by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.

Violation of this restraining order may be punished as a contempt of court; a misdemeanor, punishable by one year in jail, a \$1,000 fine, or both; or a felony. Taking or concealing a child in violation of this order may be a felony and punishable by confinement in state prison, a fine, or both.

This order is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction. Violations of this order are subject to state and federal criminal penalties.

If you travel across state or tribal boundaries with the intent to violate the order (including committing a crime of violence causing bodily injury), you may be convicted of a federal offense under VAWA (section 2261(a)(1)). You may also be convicted of a federal offense if you cause the protected person to cross a state or tribal boundary for this purpose (section 2262(a)(2)).

**NOTICE REGARDING FIREARMS**

**Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. At the hearing on this matter, the court will order that the person subject to these orders shall relinquish any firearms and not own or possess any firearms during the period of the restraining order. If restraining orders are issued, the restrained person may not possess a firearm. Under federal law, the issuance of a restraining order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.**